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Date of Signature and Deposit: October 16, 2002

*Nicholas J. Seay*



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Katherine W. Osteryoung

Date: October 16, 2002

Serial No.: 09/553,431

Group Art Unit: 1638

Filed: 04/19/2000

Examiner: A. Kubelik

Title: MANIPULATION OF MIN GENES IN PLANTS

File No.: 920905.90041

RECEIVED

RESPONSE

OCT 25 2002

Commissioner for Patents  
Washington DC 20231

TECH CENTER 1600/2900

In response to the Office Action dated April 16, 2002, please amend the application as follows:

In the Claims:

Please cancel Claims 9, 11-13, and amend Claims 1, 3, 6, 14, 16, 19, 20, 22, 24, and 26-28 as follows, and add the following new Claim 29:

*B1*

1. (Twice Amended) A transgenic plant comprising in its genome an artificial genetic construct comprising a sense protein coding sequence and a promoter which promotes expression of the MinD protein coding sequence in cells of the plant, wherein expression of the sequence in the plant causes alteration in the size, shape and/or number of plastids in plant cells of the plant as compared to non-transgenic plants of the species, the MinD protein encoded by the protein coding sequence having at least 80% sequence identity with SEQ ID NO:2.

2. The plant of Claim 1, wherein the coding sequence is selected from the group consisting of an *Arabidopsis* MinD protein coding sequence and a *Tagetes* MinD protein coding sequence.